

BEFORE THE OFFICE OF CAMPAIGN FINANCE
DISTRICT OF COLUMBIA BOARD OF ELECTIONS AND ETHICS
FRANK D. REEVES MUNICIPAL BUILDING
2000-14th STREET, N.W., SUITE 420
WASHINGTON, D.C. 20009
(202) 671-0550

IN THE MATTER OF

)

DATE: August 26, 2004

)

Dr. Frederick Finelli

)

DOCKET NO.: 03F-163

Member

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Board of Medicine

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4331 Garfield Street, NW

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Washington, DC 20007

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ORDER

This matter came before the Office of Campaign Finance (OCF) based upon OCF's own motion for reconsideration (Motion) of the Order of the Director issued on October 3, 2003. On October 3, 2003, the Director entered an Order in this matter which imposed a fine of \$2,000.00 for failure to timely file a Financial Disclosure Statement on or before June 19, 2003 for calendar year 2002. On or around December 15, 2003, OCF filed the Motion.

Summary of Evidence

In the Motion, OCF states that it discovered a Financial Disclosure Statement filed by respondent on June 25, 2003. Further, respondent's Financial Disclosure Statement listed his home address as 4331 Garfield Street, NW, Washington, DC 20007. OCF issued notices and its Order to 3114 N Street, NW, Washington, DC 20007.

Findings of Fact

Having reviewed respondent's motion and the record herein, I find that:

1. Respondent filed the required Financial Disclosure Statement on June 25, 2003.
2. OCF issued notices and its Order to respondent's address of record.
3. Respondent's address of record was provided to OCF by the District's Office of Boards and Commissions, which failed to notify OCF of respondent's current address.

4. Respondent is currently in compliance with the statute.

Conclusions of Law

1. Pursuant to the Order In the Matter of: Dr. Frederick Finelli, a fine in the amount of \$2,000.00 was imposed upon respondent herein.
2. In accordance with 3 D.C.M.R. §3711.5 (1999), OCF appealed this matter on its own motion.
3. Respondent violated D.C. Official Code §1-1106.02.
4. D.C. Official Code § 1-1106.02(b) requires the respective agency to apprise OCF of the names and current mailing addresses of persons required to file a Financial Disclosure Statement.
5. For good cause shown pursuant to 3DCMR §3711.6, the Director of Campaign Finance (Director) may modify, rescind, dismiss or suspend any fine.
6. The failure of the agency to properly notify OCF of respondent's address constitutes good cause for suspension of the fine.

Recommendation

In view of the foregoing and information included in the record, I hereby recommend that the Director suspend the fine in this matter.

Date

Jean Scott Diggs
Hearing Officer

Concurrence

In view of the foregoing, I hereby concur with the Recommendation.

Date

Kathy S. Williams
General Counsel

ORDER OF THE DIRECTOR

IT IS ORDERED that the fine be hereby suspended in this matter.

Date

Cecily E. Collier-Montgomery
Director

SERVICE OF ORDER

This is to certify that I have served a true copy of the foregoing Order.

NOTICE

Pursuant to 3DCMR §3711.5 (1999), any fine imposed by the Director shall become effective on the 16th day following the issuance of a decision and order, if the respondent does not request an appeal of this matter. If applicable, within 10 days of the effective date of this order, please make a check or money order payable to the D.C. Treasurer, c/o Office of Campaign Finance, Suite 420, 2000-14th Street, N.W., Washington, D.C. 20009.